

Appln. No. 10/657,042
Amendment dated July 24, 2007
Reply to Office Action mailed May 31, 2007

REMARKS

Reconsideration is respectfully requested.

Entry of the above amendments is courteously requested in order to place all claims in this application in allowable condition and/or to place the non-allowed claims in better condition for consideration on appeal.

Claims 17 through 24 and 26 remain in this application. Claims 1 through 16 and 25 have been cancelled. No claims have been withdrawn or added.

Paragraph 1 of the Office Action

Claims 25 and 26 have been rejected under 35 U.S.C. §102(b) as being anticipated by Gregg.

Claim 26 requires, in part, "wherein the first portion of said clip member is substantially C-shaped and the second portion of said clip member is substantially C-shaped".

It is alleged in the rejection of claim 26 in the Office Action that:

The clip member removably joins the elongate member to the support structure via a first substantially C-shaped portion (defined by mounts 118 in conjunction with planar member 104, see figure 8) and a second substantially C-shaped portion (84).

However, it is submitted that elements 118 and 104 of the Gregg device do not form a "clip member [which] is substantially C-shaped", as required by claim 26. It is submitted that one of ordinary skill in the art, recognizing the divergent nature of the elements 118 of the Gregg device would not understand these elements as being substantially C-shaped, as C-shaped requires some portion of the arms to converge towards each other, and not simply diverge from each other as is true of the elements 118 of the Gregg patent.

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It is therefore submitted that the Gregg patent would not lead one of ordinary skill in the art to the applicant's claimed invention as defined in claim 26, especially with the requirements set forth above, and therefore it is submitted that claim 26 is allowable over the prior art.


Withdrawal of the §102(b) rejection of claim 26 is therefore respectfully requested.

CONCLUSION

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,

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Date: July 24, 2007